

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Application No. : 10/630,141  
Applicant : John J. Giobbi  
Filed : July 30, 2003  
Title : Portable Data For Communicating With Gaming  
Machine Over Wireless Link  
TC/A.U. : 3714  
Examiner : Jasson H. Yoo  
Docket No. : 247079-000107USD2  
Customer No. : 70243

Mail Stop Appeals  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**REPLY BRIEF**

Dear Commissioner:

This Reply is filed in support to the Appellants' appeal to the Board of Patent Appeals and Interferences ("Board") from the final rejection of claims 101-104 and 106-125 in the April 28, 2009 Final Office Action. (Exhibit B<sup>1</sup>). An Answer Brief from the Examiner was filed on September 30, 2009. The due date for this Reply Brief is two months from the mailing date of the Examiner Answer and this Reply is being timely filed.

**ARGUMENT**

In the initial Appeals Brief, Applicant argued that a) Hedrick should not be combined with Rantze and Sizer that are in the unrelated merchandising fields; b) Hedrick should not be combined with Rantze and Sizer because this combination would render Hedrick inoperable for its intended purpose; and c) the combination of Hedrick, Rantze and Sizer does not anticipate the element of "modifying the operation of the machine" in claims 101, 102, 112 and 120.

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<sup>1</sup> This Reply Brief will reference exhibits from the original Appeals Brief